

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSEPH GAUDET,

Plaintiff,

v.

KENNETH HONICK Police Chief,
DWAYNE BEERE Patrolman, **JORDAN**
ANGELO Patrolman, **ADAM MUSISKO**
Commissioner ET, **ELIZABETH**
TOWNSHIP SUPERVISORS,
ELIZABETH TOWNSHIP POLICE
and **E.T.P.A. RECORDS**
DEPARTMENT,

Defendants.

2:25cv155

Electronic Filing

MEMORANDUM AND ORDER OF COURT

Joseph Gaudet ("Plaintiff") commenced this civil rights action pursuant to 42 U.S.C. § 1983 by submitting a "complaint" seeking redress for alleged role of defendants in an arrest of plaintiff and the release of personal information about him and his family. Plaintiff's submissions were received by this Court on February 3, 2025. ECF No. 1.

On May 20, 2025, an order was entered directing the United States Marshal Service to serve the complaint subject to plaintiff providing "the Clerk of Court (for forwarding to the United States Marshal) [with] a separate 'Process Receipt and Return' form (USM-285) for each defendant," which was to include the full name and complete service address for each defendant. See Order of May 20, 2025 (Doc. No. 12), at p. 1. Plaintiff was further advised that if he failed "to give the Marshal correct instructions for mailing as to any defendant, his claims against that defendant may be dismissed pursuant to Federal Rule of Civil Procedure 4(m)." Id. at p. 2.

Plaintiff filed a response to the Order of Service on May 30, 2025. Therein, plaintiff

advised that his current incarceration had created practical constraints on his ability to obtain the information needed to complete the USM-285 forms and his efforts to represent himself were leading to a waste of everyone's time. Plaintiff's Response to Order of May 20, 2025 (Doc. No. 14) at p. 1.

Plaintiff's failure to provide the needed information to effectuate service on each defendant precludes the court from moving forward with the Service of Process as directed in the May 20, 2025, Order. Consequently, the action cannot proceed against any defendant and the following order is appropriate:

ORDER OF COURT

AND NOW, this 16th day of July, 2025, plaintiff having failed to provide the information needed to effectuate service of process and, in accordance with the May 20, 2025, Order for Service and Federal Rule of Civil Procedure 4(m), IT IS ORDERED that this case be, and the same hereby is, dismissed. The Clerk of Court shall mark the case closed.

s/David Stewart Cercone
David Stewart Cercone
Senior United States District Judge

cc: Joseph Gaudet
#189357
Allegheny County Jail
950 Second Avenue
Pittsburgh, PA 15219

(Sent Via First Class Mail)